

DEC 10 2007

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

JORGE AUGUSTO BRESANI MIER Y  
TERAN,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 05-74997

Agency No. A95-174-648

MEMORANDUM\*

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted December 3, 2007\*\*

Before: GOODWIN, WALLACE and FISHER, Circuit Judges.

Jorge Augusto Bresani Mier Y Teran, a native and citizen of Peru, petitions  
for review of the Board of Immigration Appeals' ("BIA") order denying his

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\* This disposition is not appropriate for publication and is not  
precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without  
oral argument. *See* Fed. R. App. P. 34(a)(2).

motion to reconsider its order denying his prior motion to reconsider. We dismiss the petition for review.

On April 19, 2007, the BIA granted Mier Y Teran's motion to reopen and remanded to the immigration judge for further proceedings. Because there is no longer a final order of removal, we lack jurisdiction over the petition for review.

*See Lopez-Ruiz v. Ashcroft*, 298 F.3d 886, 887 (9th Cir. 2002) (order).

**PETITION FOR REVIEW DISMISSED.**